



US Army Corps
of Engineers
Rock Island District

PUBLIC NOTICE

Applicant: City of Muscatine

Date: February 20, 2004

Expires: March 11, 2004

CEMVR-OD-P-456520

Section: 10/404

**Joint Public Notice
US Army Corps of Engineers
Iowa Department of Natural Resources**

1. **Applicant.** City of Muscatine, 215 Sycamore Street, Muscatine, Iowa 52761.
2. **Project Location.** Section 2, Township 76 North, Range 2 West; Muscatine, Muscatine County, Iowa; approximate Mississippi River mile 455-456.
3. **Project Description.** The basic purpose of the project is to provide for water-based recreational boating. Water-based recreational boating is a water-dependent activity. The overall project purpose of the project is to maintain adequate water depth in the area for recreational navigation.
 - a. Previous Authorizations.
 - In October 1993, Department of the Army authorization (CENCR-OD-S-277280) was granted to perform maintenance dredging at the marina facility. The area to be dredged measured approximately 1100 feet long by 210 feet wide. The 10,000 cubic yards of dredged material per event was to be placed in a diked containment area located immediately north of the marina. Return water from the containment area flowed back to the river. This authorization expired December 31, 2003.
 - In September 2003, Department of the Army authorization (CEMVR-OD-P-368620-1) was granted to make improvements (removal of the rubble jetty and replacing it with a floating breakwater, addition of transient boater slips to the municipal marina, construction of a boat launch ramp and pier, maintenance dredging, and refurbishment of the River Center Building) to the downtown riverfront. This authorization expires December 31, 2008. The existing marina is a Federal project. The City of Muscatine is seeking deauthorization of the marina. Currently, the project has not been deauthorized. The applicant does not expect the deauthorization to be complete until after the start of the 2004 boating season. Project work may not be initiated until the project has been deauthorized.
 - b. Current Request. The applicant's current request is to perform maintenance dredging at the marina prior to the 2004 boating season. Once the marina has been deauthorized, the authorization granted in September 2003 will be utilized. The applicant proposes to perform the dredging via hydraulic means. Approximately 19,400 cubic yards of material will be dredged from the marina (3.21 acres, 5900 cubic yards), mouth of the marina (1.33 acres, 6900 cubic yards), and riverfront area (0.42 acres, 6800 cubic yards). The marina will be dredged to provide a water depth of 10 feet in the area along the shoreline and 5 feet in the marina. The dredged material will be pumped to an upland site east of Mad Creek (Hawkeye Lumber site) or to a dewatering area located in the asphalt parking areas near the dredge sites. The dredged material will be placed in large geotextile bags to retain most solids. Water will seep from the bags and will return to the river. Once the bags have been dewatered, the sediments will be hauled to the City's solid waste transfer station or to City project sites requiring clean fill materials. The immediate need is to dredge the area inside the mouth of the marina (prior to the 2004 boating season). The remainder of the area may be dredged during 2004.

NOTE: The footprint of the currently proposed project is the same as the footprint of the authorization issued in September 2003.

4. Agency Review.

a. Department of the Army, Corps of Engineers. The Department of the Army application is being processed under the provisions of Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403) and Section 404 of the Clean Water Act (33 U.S.C. 1344).

b. State of Iowa. The project plans have been submitted to the Iowa Department of Natural Resources for state certification of the proposed work in accordance with Section 401 of the Clean Water Act. The certification, if issued, will express the Department's opinion that the proposed activity will comply with Iowa's water quality standards (Chapter 61 IAC). The applicant has also applied for authorization of work in the floodplain pursuant to Chapter 455B of the Iowa Code and other applicable state permits. Written comments concerning possible impacts to waters of Iowa should be addressed to: Iowa Department of Natural Resources, 900 East Grand Avenue, Des Moines, Iowa 50319. A copy of the comments should be provided to the Corps of Engineers office (see paragraph 11. of this public notice for address).

5. Historical/Archaeological. The Corps of Engineers consulted with the State of Iowa geographic information systems (GIS) archeological site and survey databases as maintained by the Office of the State Archaeologist of Iowa and the State Historical Society of Iowa and current as of August 2003. The query determined that there were no previously recorded archeological sites in the permit area and that the area had not been surveyed. The permit area is located on the riverbed and immediate shoreline on the Mississippi River. The Corps of Engineers has determined that no historic properties are affected by issuance of this permit for maintenance dredging because the work is confined to the active riverbed and disposal will be in a nearby parking lot. Therefore, it is the opinion of the Corps of Engineers that issuance of the permit will not affect historic properties because "the nature, scope, and magnitude of the work, and/or structures to be permitted are such that there is little likelihood that a historic property exists or may be affected" (33 CFR Part 325, Appendix C.3.b).

6. Endangered Species. District staff have performed a preliminary review of this application for the potential impact on threatened or endangered species pursuant to Section 7 of the Endangered Species Act as amended. Based upon the information provided and available at this time, our preliminary determination is that the proposed activity would have no effect on federally-listed endangered or threatened species or critical habitat. While no consultation has been initiated with the United States Fish and Wildlife Service (FWS) at this time, we are further coordinating this application with the FWS and the respective resource agencies through this public notice. Accordingly, our preliminary determination is subject to change should further information become available.

7. Dredge/Fill Material Guidelines. The evaluation of the impact of the proposed activity on the public interest will also include application of the guidelines promulgated by the Administrator of the United States Environmental Protection Agency under authority of Section 404(b) of the Clean Water Act (40 CFR Part 230).

8. Public Interest Review. The decision whether to issue the Corps permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production and, in general, the needs and welfare of the people.

9. Who Should Reply. The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity. These statements should be submitted on or before the expiration date specified at the top of page 1. These statements should bear upon the adequacy of plans and suitability of locations and should, if appropriate, suggest any changes considered desirable.

10. **Public Hearing Requests.** Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing. A request may be denied if substantive reasons for holding a hearing are not provided.

11. **Reply to the Corps of Engineers.** Comments concerning the Corps permit should be addressed to the District Engineer, U. S. Army Corps of Engineers, Rock Island District, ATTN: OD-P (Wayne Hannel), Clock Tower Building - Post Office Box 2004, Rock Island, Illinois 61204-2004. **Mr. Wayne Hannel (309/794-5378)** may be contacted for additional information.

original signed by

Attach
Plan

Wayne Hannel
Project Manager
Regulatory Branch

REQUEST TO POSTMASTERS: Please post this notice conspicuously and continuously until the expiration date specified at the top of page 1.

NOTICE TO EDITORS: This notice is provided as background information for your use in formatting news stories. This notice is not a contract for classified display advertising.

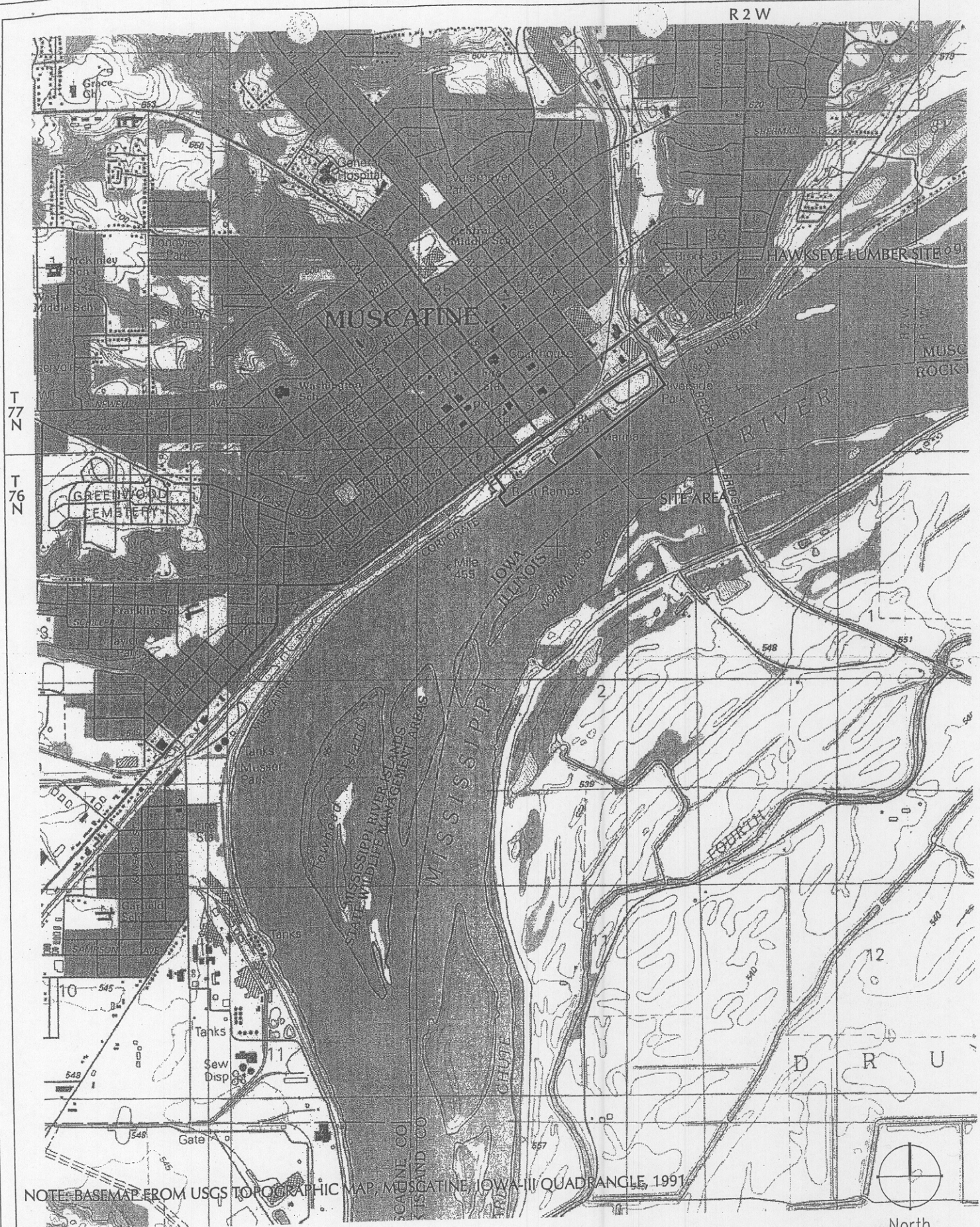
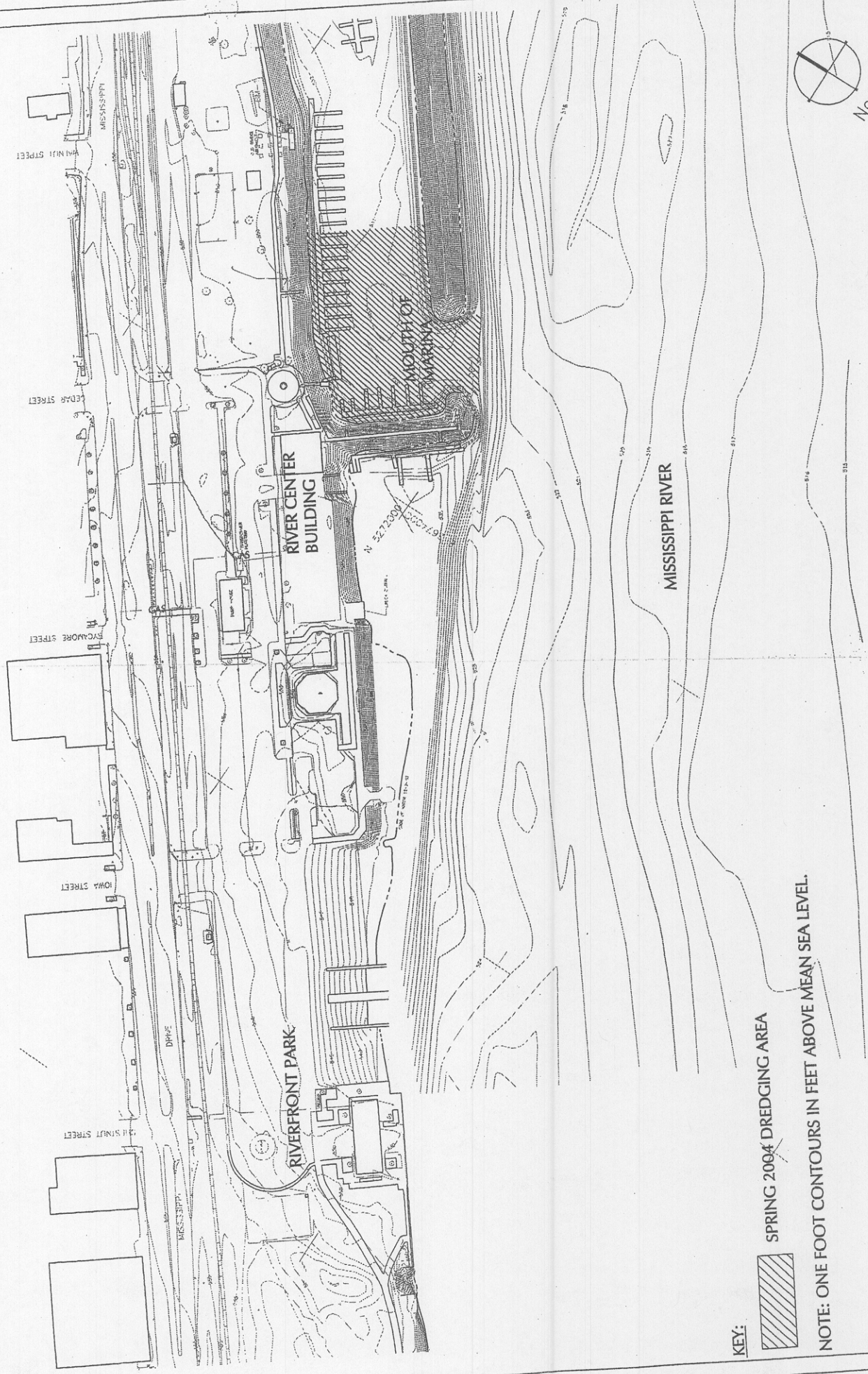



FIGURE 1:
SITE LOCATION MAP
MUSCATINE DREDGING PROJECT
MUSCATINE, IOWA

11 December 2003
0 1000' 2000'

North
CEMVR-OD-P-456520
Vicinity Map
Sheet 1 of 4



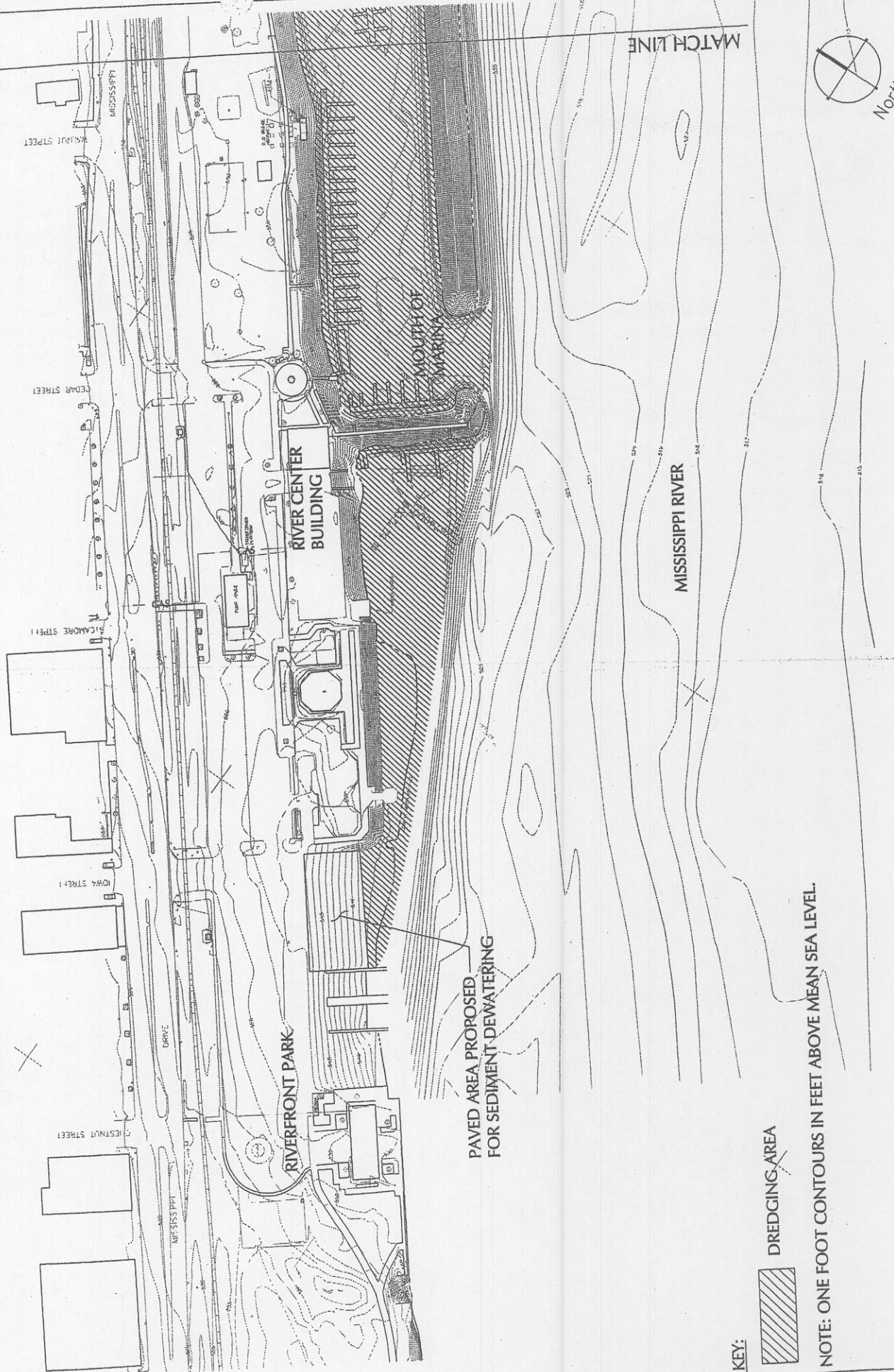
KEY:  SPRING 2004 DREDGING AREA

NOTE: ONE FOOT CONTOURS IN FEET ABOVE MEAN SEA LEVEL.

11 December 2003

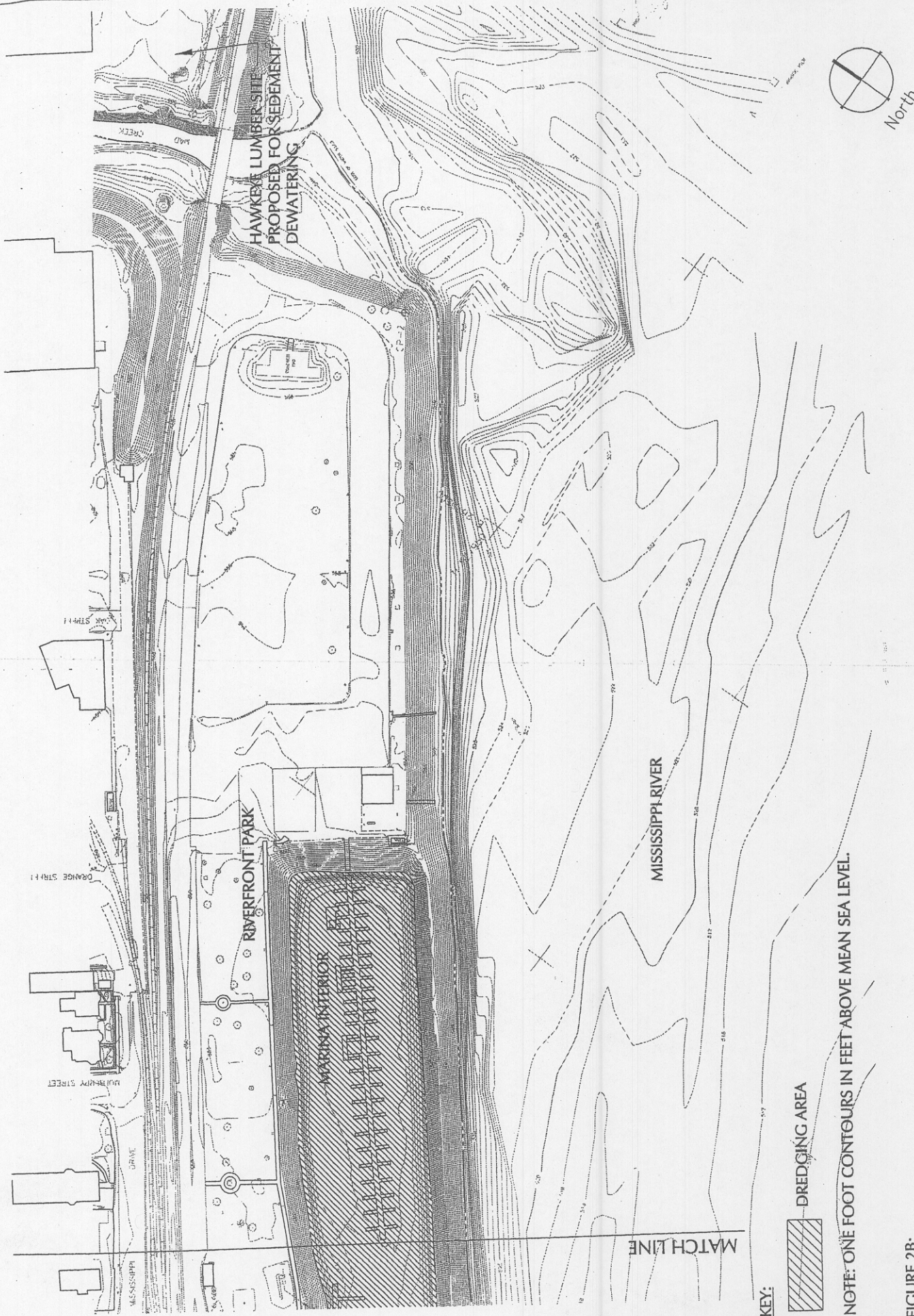
0 100' 200'

FIGURE 3:
 PLAN VIEW-PROPOSED
 MUSCATINE SPRING 2004 DREDGING AREA
 MUSCATINE, IOWA

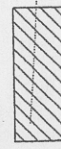


11 December 2003

FIGURE 2A:
 PLAN VIEW-PROPOSED
 MUSCATINE DREDGING PROJECT
 MUSCATINE, IOWA



KEY:



DREDGING AREA

NOTE: ONE FOOT CONTOURS IN FEET ABOVE MEAN SEA LEVEL.

FIGURE 2B:

PLAN VIEW-PROPOSED
MUSCATINE DREDGING PROJECT
MUSCATINE, IOWA

11 December 2003

